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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,040	02/25/2000	Jianzhong Jiao	98,766	7630

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EXAMINER

CHOI, JACOB Y

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 04/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/513,040

Applicant(s)

JIAO ET AL.

Examiner

Jacob Y Choi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10, 11, 14, 15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10, 11, 14, 15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/08/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8, 10, 14, 15 & 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lieszkovszky et al. (USPN 6,168,293).

Regarding claim 1, Lieszkovszky et al. fully discloses a reflector portion extending from a first surface end to a second surface end, the reflector portion positioned on either side of a tubular light source (shown in Figure 4), the reflector portion (reference # f) reflecting light emanating from the tubular light source towards an aperture of the tubular reflector, and a semi-circular reflector (reference #n) having a smooth reflective surface, the semicircular-reflector coupled to the first surface end of

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the reflector portion (shown in Figure 4) so that light emanating from the tubular light source is reflected off the semi-circular reflector and re-directed from the light source towards the aperture of the tubular reflector. It is inherent that some of the light from the tubular light source would reflect the backwards the aperture or re-directed to the inner reflective portion of the semi-circular reflector and towards the aperture of the tubular reflector.

Regarding claim 2, Lieszkovszky et al. discloses the reflector portion is a semi-elliptical reflector.

Regarding claim 3, Lieszkovszky et al. discloses a lens means (reference #22) coupled to the semi-circular reflector, the lens means processing the reflected light (shown in Figure 4).

Regarding claim 4, Lieszkovszky et al. discloses a reflective surface disposed on the smooth semi-circular surface (shown in Figures 5, reference #60).

Regarding claim 5, Lieszkovszky et al. discloses a reflective surface (reference #14) disposed on the semi-circular reflector (shown in Figure 4).

Regarding claim 6, Lieszkovszky et al. discloses the reflective finish disposed on the semi-circular reflector is essentially the same as a reflective finish disposed on the semi-circular surface (shown in Figure 4).

Regarding claim 7, Lieszkovszky et al. fully discloses a semi-circular reflector (reference #n) having a tubular light source (reference #52) mounted in the semi-circular reflector, the semi circular reflector light emanating from the tubular light source (shown in Figure 4), and a multi-faceted reflector coupled to the semi-circular reflector

(shown in Figure B and indicated as an prior art), the multi-faceted reflector having at least two facets positioned at angles to one another (shown in Figures 1-5) so that light emanating from the tubular light source is reflected away from the light source. It would be inherent that the some of the light would reflect away from the light source.

Regarding claim 8, Lieszkovszky et al. discloses a lens means coupled to the multi-faceted reflector, the lens means receives and processes the reflected light.

Regarding claim 10, Lieszkovszky et al. inherently has a securing means provided on the reflector.

Regarding claim 14, Lieszkovszky et al. fully discloses a housing portion having an interior reflecting surface (reference #14), a first reflective finish disposed on the interior reflecting surface (shown in Figure 4), a reflector portion coupled to the interior reflecting surface, a tubular light source (reference #52) mounted in the semi-circular reflector portion, the semicircular reflector portion (reference #n) formed around the tubular light source, a second reflective finish disposed on the semi-circular reflector portions (shown in Figure 4), a lens portion coupled to the housing portion such, that the reflective finish reflects light from said tubular light source towards the lens portion (shown in Figure 4).

Regarding claim 15, Lieszkovszky et al. discloses the interior-reflecting surface having a plurality of facets (shown in Figures 1-3, & 5).

Regarding claim 17, Lieszkovszky et al. discloses the pluralities of facets are arranged in a stepwise orientation (shown in Figures 1-3, & 5).

Regarding claim 18, Lieszkovszky et al. discloses each facet of the plurality of facets has a similar reflective finish (shown in Figure 4).

Regarding claim 19, Lieszkovszky et al. discloses the reflector is semi-circular (shown in Figure 4, portion #n).

Regarding claim 20, Lieszkovszky et al. discloses the reflector is semi-elliptical (shown in Figure 4, portion #f).

4. Claims 1-8, 10, 14, 15 & 17-20 are rejected under 35 U.S.C. 102(b) as being anticipated by King et al. (USPN 5,199,787).

Regarding claim 1, King et al. fully discloses a reflector portion extending from a first surface end to a second surface end, the reflector portion positioned on either side of a tubular light source (shown in Figure 1), the reflector portion (10) reflecting light emanating from the tubular light source (30) towards an aperture of the tubular reflector, and a semi-circular reflector (13) having a smooth reflective surface, the semicircular-reflector coupled to the first surface end of the reflector portion (shown in Figure 1) so that light emanating from the tubular light source is reflected off the semi-circular reflector and re-directed from the light source and towards the aperture of the tubular reflector. It is inherent that some of the light from the tubular light source would reflect the backwards the aperture or re-direct to the inner reflective portion of the semi-circular reflector and towards the aperture of the tubular reflector.

Regarding claim 2, King et al. discloses the reflector portion is a semi-elliptical reflector.

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Regarding claim 3, King et al. discloses a lens means (20) coupled to the semi-circular reflector, the lens means processing the reflected light.

Regarding claim 4, King et al. discloses a reflective surface disposed on the smooth semi-circular surface (12 & 14).

Regarding claim 5, King et al. discloses a reflective surface disposed on the semi-circular reflector (shown in Figure 1).

Regarding claim 6, King et al. discloses the reflective finish disposed on the semi-circular reflector is essentially the same as a reflective finish disposed on the semi-circular surface (shown in Figure 1).

Regarding claim 7, King et al. fully discloses a semi-circular reflector (13) having a tubular light source (30) mounted in the semi-circular reflector, the semi circular reflector light emanating from the tubular light source (shown in Figure 1), and a multi-faceted reflector coupled to the semi-circular reflector (shown in Figure 1), the multi-faceted reflector having at least two facets positioned at angles to one another so that light emanating from the tubular light source is reflected away from the light source. It would be inherent that the some of the light would reflect away from the light source.

Regarding claim 8, King et al. discloses a lens means coupled to the multi-faceted reflector, the lens means (20) receives and processes the reflected light.

Regarding claim 10, King et al. inherently has a securing means provided on the reflector.

Regarding claim 14, King et al. fully discloses a housing portion having an interior reflecting surface (12, 14), a first reflective finish disposed on the interior reflecting

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surface (shown in Figure 1), a reflector portion coupled to the interior reflecting surface, a tubular light source (30) mounted in the semi-circular reflector portion, the semicircular reflector portion (13) formed around the tubular light source, a second reflective finish disposed on the semi-circular reflector portions (shown in Figure 1), a lens portion (20) coupled to the housing portion, such that the reflective finish reflects light from said tubular light source towards the lens portion.

Regarding claim 15, King et al. discloses the interior-reflecting surface having a plurality of facets (shown in Figure 2).

Regarding claim 17, King et al. discloses the pluralities of facets are arranged in a stepwise orientation (shown in Figures 2).

Regarding claim 18, King et al. discloses each facet of the plurality of facets has a similar reflective finish (shown in Figure 2).

Regarding claim 19, King et al. discloses the reflector is semi-circular (13).

Regarding claim 20, King et al. discloses the reflector is semi-elliptical (11).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lieszkovszky et al. as applied to claim 7 above, in view of Daumueller et al. (USPN 5,975,723).

Regarding claim 11, Lieszkovszky et al. fully discloses the claimed invention, explained above. However, Lieszkovszky et al. does not specifically disclose the tubular reflector is used for a vehicle stop lamp. Daumueller et al. discloses a reflector light device for a vehicle that is used for vehicle stop lamp. It would have been obvious in the one skilled in the art at the time the invention was made to combine certain reflector structure to a vehicle stop lamp, since Daumueller et al. also discloses a reflector structure for a vehicle lamp. It is known in art that having a reflector is necessary structure in vehicle lamp device.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. (USPN 5,199,787) as applied to claim 7 in view of Daumueller et al. (USPN 5,975,723).

Regarding claim 11, King et al. fully discloses the claimed invention, explained above. However, King et al. does not specifically disclose the tubular reflector is used for a vehicle stop lamp. Daumueller et al. discloses a reflector light device for a vehicle that is used for vehicle stop lamp. It would have been obvious in the one skilled in the art at the time the invention was made to combine certain reflector structure to a vehicle stop lamp, since Daumueller et al. also discloses a reflector structure for a vehicle lamp. It is known in art that having a reflector is necessary structure in vehicle lamp device.

Response to Amendment

8. Examiner acknowledges that the applicant has twice amended claims 1, 7 & 14 and previously stated drawing objections, claim objections & 35 U.S.C. 112 second paragraph rejections have been withdrawn based on correction that applicant has summated, filed on 02/08/2002. Applicant has also submitted Declaration Pursuant to 37 C.F.R. 1.131, to swear behind Lieszkovszky (USPN 6,168,293) and stated that the claimed invention was reduced to practice in the United States prior to August 9, 1999.

9. The declaration 1.131, filed on 02/08/2002 under 37 CFR 1.131 has been considered but is ineffective to overcome the Lieszkovszky et al. (USPN 6,168,293) reference.

10. The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Lieszkovszky et al. (USPN 6,168,293) reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). Applicant's declaration pursuant to 37 C.F.R. 1.131 only discloses drawing figures, charts and equations and fails to demonstrate a complete evidence or satisfactorily explained, relating to the applicant's claimed invention. The showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from

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prior to said date to a subsequent reduction to practice or to the filing of the application.

Original exhibits of drawings or records, or photocopies thereof, must accompany and form part of the affidavit or declaration or their absence satisfactorily explained.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sands et al. (USPN 4,494,176) – lamps having multiple and aimed parabolic sections for increased useful light output

VanHorn et al. (USPN 4,447,865) – reflector lamp

Thiry et al. (USPN 4,506,316) – par spot lamp

V. Rikis (USPN 3,443,086) – beam-forming system

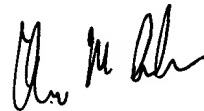
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-8303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.

JC
April 23, 2002



THOMAS M. SEMBER
PRIMARY EXAMINER